

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION**

RECKITT BENCKISER	)	
PHARMACEUTICALS, INC., RB	)	
PHARMACEUTICALS LIMITED, and	)	
MONOSOL RX, LLC,	)	
	)	
Plaintiffs,	)	Civ. No.: 5:13-cv-00760-BO
	)	
v.	)	
	)	
BIODELIVERY SCIENCES	)	
INTERNATIONAL, INC.,	)	
	)	
Defendant.	)	

**PLAINTIFFS' MOTION TO FILE UNDER SEAL**

Pursuant to Local Rule of Civil Procedure 79.2, Plaintiffs Reckitt Benckiser Pharmaceuticals Inc. ("RBP"), RB Pharmaceuticals Limited ("RBP UK"), and MonoSol Rx, LLC ("MonoSol") (collectively, "Plaintiffs") respectfully move this Court for an order allowing Plaintiffs to file certain documents under seal in connection with Plaintiffs' opposition to Defendant BioDelivery Sciences International, Inc.'s ("BDSI") motion to dismiss the complaint.

Plaintiffs request that Confidential Exhibits A and B to Plaintiffs' memorandum in opposition to Defendant BDSI's motion to dismiss the complaint, be sealed, because they include confidential, intra-company and inter-company information and highly competitive and sensitive business information.

More specifically, Confidential Exhibit A is an intra-company licensing agreement between RBP and RBP UK; and Confidential Exhibit B is an inter-company Commercial Exploitation Agreement between RBP and MonoSol. The agreements contain information

regarding confidential contractual intellectual property licensing arrangements, and in regard to Exhibit B, also confidential supply and manufacturing contract terms. Accordingly, the disclosure of such confidential business information should be limited to BDSI's outside counsel, with the understanding that they will preserve its confidentiality, and not made public or available to BDSI's employees. Given the confidential and competitive nature of this information, alternatives to sealing Confidential Exhibits A and B would be inadequate.

WHEREFORE, Plaintiffs respectfully pray the Court for an Order allowing them to file Confidential Exhibits A and B under seal. Counsel for Defendant BDSI has refused to consent to this motion. A Proposed Order is submitted with this motion.

This the 22<sup>nd</sup> day of January, 2014.

Respectfully submitted,

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## CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing has been delivered via ECF to the following on this 22<sup>nd</sup> day of January, 2014:

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